

REMARKS

This is a response to the non-final Office Action mailed December 29, 2004.

Claims 1-4, 6-10, 12-15 and 17-23 are amended to improve clarity. Regarding the use of prior searches executed by the user, see the specification, e.g., page 5, lines 1-6. Regarding claims 2, 8 and 14, see page 3, lines 27-29.

Claims 1-23 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. patent 6,005,565 to Legall et al. in view of U.S. patent 6,006,225 to Bowman et al. Applicant respectfully traverses the rejection.

Legall et al. provides a tool for searching World Wide Web and electronic program guide (EPG) information (col. 2, lines 64-66). A user, using a search tool window, can establish topics that form elements of a filter that is input to a search engine. In response, the search engine generates a result set, which is applied to the EPG to modify the EPG to display or highlight those programs that meet the filter requirements (col. 3, lines 11-19). Additionally, the user can save and recall the current and previously saved filter elements, respectively (col. 3, lines 50-52). A filter log can also be maintained to allow a search to be performed at a later time (col. 3, lines 57-60). In another approach, a search of a web site is initiated in the background when a broadcast is selected by a viewer to provide web content related to the broadcast (col. 4, line 66 – col. 5, lines 22).

Thus, as acknowledged by the Examiner, Legall et al. are not concerned with generating a query specifying at least one attribute-value pair for each of a plurality of program attributes, wherein at least one of the attribute-value pairs is selected based on at least one prior search that has been executed by the user to obtain program recommendations. However, it is asserted that

it would be obvious to modify the teaching of Legall et al. based on Bowman et al., and that such a modification would result in the present invention. Applicant respectfully disagrees.

Bowman et al. are concerned with techniques for searching the Internet (col. 1, lines 18-30), and therefore make no mention of searching an electronic program guide to generate program recommendations. In particular, Bowman et al. are concerned with a search refinement process. In this process, a user enters a search in a search engine and, if the list of returned items is too large, other related query terms can be suggested to the user to run a further, more refined, search. However, such related query terms may not be valuable, may lead to a null query result, and consume processing resources (col. 1, lines 54-50, col. 2, lines 13-22). To address this, Bowman et al. generate the related terms based on query term correlation data that is based on historical query submissions to the search engine (col. 2, lines 28-33). A correlation data structure can be generated based on the queries to the search engine, such as on a daily basis, so that the related terms reflect the current tastes of the community of users (col. 2, lines 47-60).

Accordingly, there is no disclosure or suggestion by Bowman et al. relating to a query for obtaining program recommendations for an individual user, or based on at least one prior search executed by such a user to obtain program recommendations. In fact, Bowman et al. are not concerned whatsoever with program recommendations or an electronic program guide, while Legall et al. are not concerned whatsoever with an Internet search engine that suggests related search terms. The combination suggested by the Examiner could therefore only be made with the use of impermissible hindsight gained from the present invention, and it is not even clear how such a combination would result in a working system.

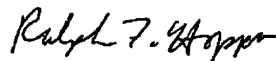
Withdrawal of the rejection to Applicant's independent claims is therefore respectfully requested.

Furthermore, Applicant's dependent claims recite further patentable features. For example, regarding claim 2, the automatic initiation of a background search of the web based on selection of a broadcast to view by Legall et al. (col., 5, lines 9-13) is not analogous to an automatic generation of a query in response to a user command that comprises a request to generate program recommendations, as set forth in claim 1. Applicant's remaining dependent claims similarly recite other patentable features.

Withdrawal of the rejection to Applicant's dependent claims is also therefore respectfully requested.

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,



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